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3 THE HONORABLE JUDGE RICARDO S. MARTINEZ  
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13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE WESTERN DISTRICT OF WASHINGTON  
15 SEATTLE DIVISION  
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18 DERICK D'HAITI,  
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20 v. Plaintiff,  
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22 PHILIPS NORTH AMERICA LLC d/b/a  
23 PHILIPS HEALTHCARE, a Delaware  
24 limited-liability company; JONES LANG  
25 LASALLE AMERICAS, INC., a Maryland  
26 Corporation; ABM INDUSTRIES  
27 INCORPORATED, a Delaware corporation;  
28 ABC Company and XYZ Company,  
29  
30 Defendants.

31 NO. 2:20-CV-00358-RSM  
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34 STIPULATED MOTION TO DISMISS  
35 PHILIPS NORTH AMERICA LLC'S  
36 CROSSCLAIM AGAINST JONES  
37 LANG LASALLE AMERICAS, INC.  
38 AND ORDER  
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41 NOTE FOR HEARING: APRIL 1, 2021  
42 WITHOUT ORAL ARGUMENT  
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47 STIPULATED MOTION FOR DISMISSAL  
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50 Pursuant to Fed. R. Civ. P. 41(c)(1) and Local Rule 10(g), Defendant Philips North  
51 America LLC (“Philips”), together with Plaintiff Derick D’Haiti, Defendant Jones Lang  
52 LaSalle Americas, Inc. (“JLL”) and ABM Industries Inc. (“ABM”) (collectively referred to as  
53 the “Parties”), by and through the undersigned counsel of record, respectfully move the Court  
54 to enter the stipulated Order as set forth below.  
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57 STIPULATED MOTION TO DISMISS PHILIPS NORTH AMERICA  
58 LLC'S CROSSCLAIM AGAINST JONES LANG LASALLE  
59 AMERICAS, INC. AND ORDER  
60 (CAUSE NO. 2:20-CV-00358-RSM) – Page 1

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1 **STIPULATION**

2 Philips previously filed a crossclaim against JLL regarding JLL's alleged breach of  
3 contract and failure to provide contractual indemnity and defense. JLL has since accepted  
4 Philips tender of defense.

5 Therefore, the Parties hereby stipulate to the voluntary dismissal of Philips' crossclaim  
6 against JLL without costs or fees to either party.

7 **IT IS SO STIPULATED** this 1st day of April, 2021.

8 EMERALD LAW GROUP, PLLC

HOLT WOODS & SCISCIANI LLP

9  
10 By: s/ Donna L. Mack  
11 Donna L. Mack, WSBA No. 30875  
donna@emeraldlawgroup.com  
12 Attorney for Plaintiff

By s/ Anthony R. Scisciani  
By s/ Kelsey L. Shewbert  
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15 Attorneys for Philips North America LLC

16 REED MCCLURE

GARDNER TRABOLSI & MORDEKHOV  
17 PLLC

18 By: s/ Jason E. Vacha  
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20 Attorney for ABM Industries Inc.

By: s/ David D. Mordekhov  
David D. Mordekhov, WSBA No. 32900  
dnordekhov@gandtlawfirm.com  
21 Attorney for Jones LaSalle Americas, Inc.

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23 //

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26 STIPULATED MOTION TO DISMISS PHILIPS NORTH AMERICA  
LLC'S CROSSCLAIM AGAINST JONES LANG LASALLE  
AMERICAS, INC. AND ORDER  
(CAUSE NO. 2:20-CV-00358-RSM) – Page 2

**HOLT WOODS & SCISCIANI LLP**  
701 PIKE STREET, SUITE 2200  
SEATTLE, WA 98101  
P: (206) 262-1200 F: (206) 223-4065

1 **ORDER**

2 The Court, having received the Stipulated Motion to Dismiss Philips crossclaims  
3 against JLL, hereby orders that the stipulated motion is GRANTED.

4 **IT IS SO ORDERED.**

5 DATED this 2<sup>nd</sup> day of April, 2021.  
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10 RICARDO S. MARTINEZ  
11 CHIEF UNITED STATES DISTRICT JUDGE  
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## CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

I am employed by the law firm of Holt Woods & Scisciani LLP.

At all times hereinafter mentioned, I was and am a citizen of the United States of America, a resident of the State of Washington, over the age of eighteen (18) years, not a party to the above-entitled action, and competent to be a witness herein.

On the date set forth below I served the document(s) to which this is attached, in the manner noted on the following person(s):

PARTY/COUNSEL	DELIVERY INSTRUCTIONS
<u><b>CO / Plaintiff</b></u> Donna L. Mack Emerald Law Group, PLLC 811 1 <sup>st</sup> Avenue, Suite 510 Seattle, WA 98104-1428	<input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via E-Mail <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via Overnight Mail <input checked="" type="checkbox"/> Via CM/ECF donna@emeraldlawgroup.com
<u><b>CO / Defendant ABM Industries Incorporated</b></u> Jason E. Vacha Reed McClure 1215 Fourth Avenue, Suite 1700 Seattle, WA 98161-1087	<input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via E-Mail <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via Overnight Mail <input checked="" type="checkbox"/> Via CM/ECF jvacha@rmlaw.com
<u><b>CO / Defendant Jones LaSalle Americas, Inc.</b></u> David D. Mordekhov Gardner Trabolsi & Mordekhov PLLC 2200 Sixth Avenue, Suite 600 Seattle, WA 98121	<input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via E-Mail <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via Overnight Mail <input checked="" type="checkbox"/> Via CM/ECF dmordekhov@gandtlawfirm.com

DATED this 1<sup>st</sup> day of April, 2021.

s/ Jessica Heath  
Jessica Heath, Legal Assistant

STIPULATED MOTION TO DISMISS PHILIPS NORTH AMERICA  
LLC'S CROSSCLAIM AGAINST JONES LANG LASALLE  
AMERICAS, INC. AND ORDER  
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